

FILED

AUG 20 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY  DEPUTY CLERK

1 Joe Flores and Connie Flores
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 Plaintiffs in Pro Per

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AUG 19 2008

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY **J. HELLINGS**
 DEPUTY CLERK

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

11 JOE FLORES, an individual; CONNIE
 12 FLORES, an individual,

13 Plaintiffs,

14 vs.

15 DENNIS HAGOBIAN, an individual, and
 16 DOES 1 through 100, inclusive.

17 Defendants.

Case No.: CIV-F-05-0291 AWI/DLB

STIPULATION TO CONTINUE THE
 HEARING DATE AND RELATED
 DATES OF DEFENDANTS MOTION
 TO DISMISS THE THIRD AMENDED
 COMPLAINT FOR FAILURE TO
 STATE A CLAIM

JURY TRIAL DEMANDED

21 IT IS HEREBY STIPULATED by and between Plaintiffs Joe Flores and Connie
 22 Flores (hereinafter "Floreses") appearing in propria persona, and Ralph Swanson,
 23 attorney of record for Defendants Dennis Hagobian, Victoria Hagobian, The Dennis
 24 Hagobian Residential Trust (improperly named as The Dennis Hagobian Residence
 25 Trust), The Victoria Hagobian Residential Trust (improperly named as The Victoria
 26 Hagobian Residence Trust), Yosemite Technologies, Inc. and, by special appearance, Rod
 27 Christiansen (hereinafter collectively, "Hagobian Defendants") that the Motion to
 28 Dismiss the Third Amended Complaint (hereinafter "TAC") for Failure to State A Claim

STIPULATION TO CONTINUE HEARING DATE AND ORDER THEREON

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1 filed by Hagobian Defendants currently scheduled for hearing on September 15, 2008, at
2 1:30 p.m., in Courtroom 2 before the honorable Anthony W. Ishii, shall be continued to
3 October 6, 2008 at 1:30 p.m., in Courtroom 2. *Col may*

4 IT IS FURTHER STIPULATED that Floreses opposition and Hagobian Defendants
5 reply to motion to dismiss as referenced herein, shall be filed in accordance to and as
6 provided by ~~statute~~ in conjunction to the new calendar date of October 6, 2008.

7 *CA Local Rule 78-230*
8 *DS*
9 Dated: August 17, 2008

By *col*
Connie Flores, Plaintiff in pro per

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11
12
13 Dated: August 17, 2008

By *[Signature]*
Joe Flores, Plaintiff in pro per

14
15
16
17 BERLINER COHEN

18
19 Dated: August 18, 2008

20 By *[Signature]*
Ralph Swanson, Attorney for Defendants:
Dennis Hagobian, Victoria Hagobian, The
21 Dennis Hagobian Residential Trust, The
Victoria Hagobian Residential Trust,
22 Yosemite Technologies, Inc.
and, by special appearance, Rod Christiansen
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DECLARATION OF JOE FLORES

1. I, Joe Flores declare as follows:

2. I am a resident of Tulare County, City of Visalia, State of California.

3. I do hereby make this declaration voluntarily of personal knowledge, and if asked to testify as to the contents of this declaration I can and will competently do so.

4. I am a plaintiff in pro per in the above referenced action.

5. I am personally involved in numerous cases in the United States District Court, Eastern District of California, as well as Superior Court of California in Fresno, Central Division.

6. I need additional time to prepare my opposition to Hagobian Defendants and for that reason have requested of Ralph Swanson, Counsel for Hagobian Defendants, additional time to prepare my Opposition to their motion to dismiss the TAC for Failure to State A Claim.

7. Floreses and Hagobian Defendants through their counsel Ralph Swanson have agreed that the hearing of Hagobian Defendants Motion to Dismiss be continued to October 6, 2008 at 1:30 p.m., in Courtroom 2, and Floreses opposition, as well as Hagobian Defendants' reply to Floreses opposition will be due for filing in accordance to statute and in conjunction with the new calendar date of October 6, 2008.

8. Declarant respectfully request that the Court approve the foregoing hearing date change, as well as the related date changes for filing and service of Floreses opposition to Defendants motion, and Defendants reply to Floreses opposition to their motion as set forth in the attached signed stipulation to continue the hearing date and related dates in this matter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 18, 2008

Respectfully Submitted By:

Joe Flores, Plaintiff in pro per

ORDER


Upon review of the foregoing Stipulation of the parties and good cause appearing therefor,

IT IS HEREBY ORDERED:

1. that the existing hearing date of September 15, 2008 at 1:30 p.m., in Courtroom 2, is vacated and the hearing date of Hagobian Defendants Motion to Dismiss for Failure to State A Claim is rescheduled for October 6, 2008 at 1:30 p.m., in Courtroom 2.

2. Floreses Opposition and Hagobian Defendants Reply shall be filed and served per statute in conjunction with the new calendar date of October 6, 2008.

Dated: August 20, 2008


Judge Anthony W. Ishii